



CURRY COUNTY BOARD OF COMMISSIONERS

MINUTES – WORKSHOP

Monday, December 21, 2015 –1:00 P.M.

Commissioners' Hearing Room, Courthouse Annex

94235 Moore St., Gold Beach, Oregon 97444

Commissioners Present: Vice-Chair Thomas Huxley, David Brock Smith

Commissioners Absent: Chair Susan Brown

Support Staff Present: Administrative Assistant Shelía Megson

1. Call to Order

Commissioner Huxley called the workshop to order at 1:02 pm. The Pledge was recited by all.

2. Public Comments

(None.)

3. New Business

a. Animal Impound Issue

Commissioner Brown recused herself and did not attend. Commissioner Huxley said he was unaware of what this was about and Sheriff Ward informed that he had requested the workshop. Ward said that when Pennies for Pooches was under the direction of Catherine Powers it had become a nonprofit. In February of 2012, the Sheriff's Department no longer had a position for an animal control officer and it was not budgeted. He had worked with County Counsel Jerry Herbage, Commissioner Brown, and Assistant County Counsel Shala McKenzie-Kudlac concerning this matter. Commissioner Smith asked Legal Assistant Starbird to try to get Kudlac on the phone but her attempt was unsuccessful.

Sheriff Ward said that he was told that Pennies for Pooches (PfP) would not take a dog that is brought in by the general public. PfP required the dogs to be impounded by the law enforcement agency of the area in which the dog was found. Ward explained that calls concerning animals to the Sheriff's Department were ranked according to immediate need by identifying urgency level numbers. He said that he would rather be able to provide 24hour service and respond to every call on the issue but due to staffing and funding, most of the calls did not qualify as something that needs a response. Ward continued that if an animal was impounded, liability would be assumed and an investigation with a report detailing events and reasoning would be required. Ward said that the Sheriff's Department was not required by the agreement between Pennies for Pooches and the County to impound all dogs nor did they have the resources to do so. The Board could appoint an outside person to be an Animal Resource Officer if it wished.

Commissioner Huxley was concerned that he had not seen all the documents prior to the workshop. He said that everything should be submitted and researched prior to workshops. Smith disagreed and said that workshops may have documents available prior to the date but the purpose was to have the opportunity to share more information and discuss the topic. Ward said that he had been in communication with Commissioner Brown but wanted all the Commissioners to have an input and knowledge of the topic. He said that all documents

discussed were in the Commissioners grasp. Huxley asked for the reference numbers, dates, titles and number of pages of any documents that would pertain to the subject and wrote them all down while saying aloud. The following documents were referred to:

- Reference Number 4623 – Agreement Between Curry County and Pennies for Pooches
- Reference Number 4624 – Animal Shelter Transfer Agreement
- Oregon Revised Statutes 609.090 – Impounding Certain Dogs
- Curry County Resolution – Pennies For Pooches as a Freestanding Nonprofit
- County Code Article 4 – Animal Control and Protection

Commissioner Smith asked that if the Board were to appoint someone from Pennies for Pooches as the officer, would that be agreeable to the Sheriff and would it limit the liability concerns. Ward said that the County would still retain liability since it is a person appointed by the Board. Lieutenant Espinoza suggested revisiting the processes behind the agreements. Ward said that the problems and discussions had been going on for quite a while and was irritated by a social media posting from Director Curran about the Sheriff's Department. The main document of Ward's focus and wanting to change is the 4623 Agreement. Ward said that he had heard from Commissioner Brown that Curran had agreed to be the Animal Control Officer.

Director of the Curry County Animal Shelter Mark Curran agreed that the 4623 agreement is the focus of the discussion. He referred to the agreement when saying that all public complaints concerning dogs are referred to the Sheriff. PFP does take in dogs from the public if they can. They do take dogs in from the Sheriff's Department utilizing impound forms to track the reasons and information as he does with other law enforcement agencies. Nobody at the shelter is able to impound a dog and need an agency to do so. Ward said that he would like the Board to take on the liability instead of it being assumed by the Sheriff.

Curran reminded them that PFP is a nonprofit and not an agency for the government. If someone brought in a dog they found running around in Langlois, they would feed, water and house it. If a dog is impounded they use Facebook and all sources to find the dog's owner. They have impound fees and licensing fees. It usually takes three to five days to find the owner. If the owner is not found they can spay or neuter and find it a new home. Without proper impounding they can not release the dog to anyone but the owner. They cannot legally do anything else for the dog even including flea treatment and it can end up sitting at the shelter with no other alternative. With only 24 kennels available this can be a problem as the dog could become a permanent resident.

Commissioner Smith asked Ward for his suggestions. Ward said that he would like the Board to appoint an animal control officer. Smith then asked Mark a question but Commissioner Huxley interrupted saying that he would like to run the meeting. Huxley then wrote down what Ward had suggested while confirming it aloud. Smith asked Curran if he would recommend an officer to the Board and submit for review a draft new agreement. Curran said that he would need to address that with his board. Smith said that the officer could handle at-large or nuisance complaints but the Sheriff would of course be utilized for anything of danger. Smith and Huxley again disagreed who would ask the questions. Huxley asserted that he was chairing the meeting and it needed to end quickly due to timing. Ward said he could work with Assistant County Counsel Kudlac to make a draft for review and Curran added that Ward already has his comments for it. Huxley said that he would want another workshop after he had had time to review all of the documents. Curran asked what to do with the non-impounded dogs until then.

There were three sitting in limbo until they were impounded which would allow them to find them homes. Huxley said he could not help that situation.

4. Old Business

(None.)

5. Commissioner Updates , Liaison and Staff Reports

(None.)

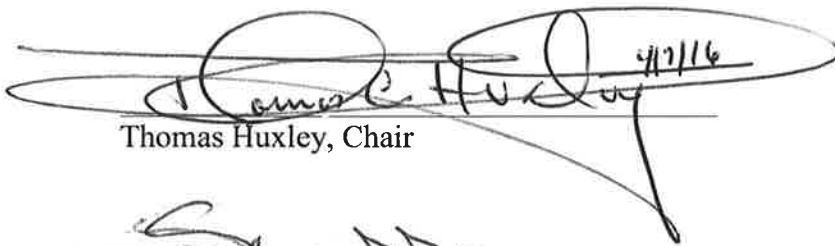
6. Adjourn

Commissioner Huxley called an end to the meeting at 1:59 p.m.

Respectfully Submitted,
Shelia M. Megson

These minutes from Monday, December 21, 2015 Board of Commissioners' Workshop approved this 06 day of April, 2016.

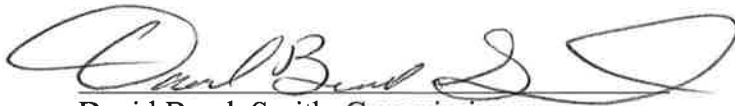
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Thomas Huxley, Chair



Susan Brown, Vice Chair



David Brock Smith, Commissioner